

Garrison Perjury Case Is Dismissed

5-1 8/14/69
Attorney Robert J. Zibilich, acting as Orleans Parish district Attorney for one case only, has dismissed an affidavit by attorney Dean Andrews Jr. charging DA Jim Garrison with two counts of perjury.

Garrison had to recuse himself in the matter after Andrews, a key figure in the conspiracy trial of Clay Shaw, filed the charges against the district attorney.

Zibilich was named by Criminal District Court Judge Thomas M. Brahney to act as district attorney in the case.

ZIBILICH CLOSED OUT the unusual proceeding over the weekend when he dismissed Andrews' affidavit. Zibilich's office today said he was out of town for a month.

Andrews charged in his affidavit that Garrison committed perjury while on the stand during the perjury trial of Andrews in August, 1967. Andrews was convicted in that trial of three counts of perjuring himself and was sentenced to 54 months in Parish Prison.

Andrews is out on bond while his case is being appealed.

ANDREWS filed his affidavit June 2 in Judge Brahney's court, appearing in "proper person," a legal technicality which permitted him to levy charges against the district attorney.

In his affidavit, Andrews asked that Garrison be forced to recuse himself so he would not be able to dismiss the charges against himself.

Garrison agreed that the DA's office would recuse itself and Judge Brahney named Zibilich to act as DA for the case to rule on Andrews' affidavit.

ZIBILICH INCLUDED no explanation for his action in dismissing the affidavit, nor is he required to do so.

Andrews captured international attention after the assassination of President John F. Kennedy when he claimed a man he knew as Clay Bertrand called him and asked him to defend Lee Harvey Oswald, accused slayer of President Kennedy.

Garrison first claimed that Clay Shaw was Bertrand. A 12-man jury March 1 acquitted Shaw of conspiracy charges levied by the DA.

IN SHAW'S TRIAL, Andrews testified that he lied about Bertrand and everything that he told the Warren Commission was his invention.

But, in his affidavit dismissed by Zibilich, Andrews

claimed Garrison committed perjury during Andrews' perjury trial.

Andrews alleged that Garrison perjured himself at the perjury trial about his intention to prosecute Andrews and his views on Andrews' truthfulness.